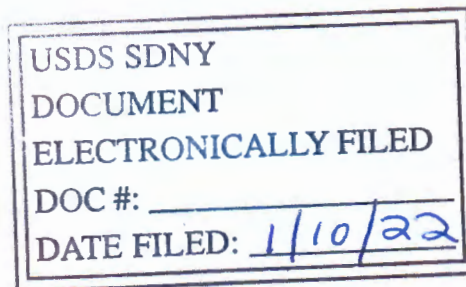


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA



-against

TODD KOZEL,

Defendant.

-----X  
KIMBA M. WOOD, District Judge:

**ORDER**  
19 CR 460 (KMW)

The Court has weighed the parties' respective views concerning a video sentencing, set forth in the Government's January 6, 2022 email to the Court's Deputy.

The Court respects counsels' views, and has weighed defendant's interest in finality against the government's view that sentencing in this case should be in person.

The Court is aware that judges differ as to whether video sentencings are as satisfactory as, or more so than, in-person sentencings.

This Court's experience has been that remote sentencings by video have been as satisfactory to all as in-person sentencings. The Court allows counsel to take as long as they like in their presentations, and allows back-and-forth by counsel. The Court permits defense counsel to confer privately with defendant whenever they like. The Court has found that defendants often interact more freely with counsel and the Court in video sentencings. In addition, the Court's ability to better see the reactions on all participants' faces up close and at the same time on video is an advantage. The Court has seen counsel's excellent advocacy in-person in the past, and will have no difficulty following, and crediting, their advocacy by video.


If any victim wishes to speak, the victim can easily be accommodated by video. The Court requests that the government inform the Court if any victim wishes to participate in the

sentencing.

Given that defendant prefers a remote sentencing that will occur sooner than an in-person sentencing, in order to move forward with his life and achieve finality with respect to his sentencing, the Court finds that his sentencing cannot be further delayed without serious harm to the interests of justice.

SO ORDERED.

Dated: New York, New York  
January 10, 2022

  
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KIMBA M. WOOD  
UNITED STATES DISTRICT JUDGE